

Request by NAHC for state to file amicus brief in Navajo Nation et al v. U.S Forest Service (9th Cir. No 06-15455) (San Francisco Peaks case)

At the Commission meeting on December 12, 2008 the Commission voted to request that the state file an amicus curiae brief in support of Plaintiff, Navajo Nation's appeal to the United States Supreme Court in the matter of Navajo Nation et al v. U.S Forest Service (9th Cir. No 06-15455). The case restricts the ability of Native American tribes to use the Religious Freedom Restoration Act (RFRA) for protection of sacred sites and practice of religion.

On January 6, 2009 the Navajo Tribe and other tribal plaintiffs filed petition for review before the U.S. Supreme Court. If the Supreme Court grants certiorari there will be opportunity to file an amicus brief.

The NAHC submitted a Governor's Office Action Request for approval to file an amicus brief to the Resources Agency on March 5, 2009. The Request has been forwarded from the Resources Agency and is now at the Governor's office.